



City of Westwood Files Motion to Dismiss Appeal of Declaratory Judgment on Property Petition

City Requests Expedited Treatment

WESTWOOD, KS – (March 26, 2024) – – The City of Westwood has filed a motion to dismiss an appeal of a recent court ruling that confirmed that a recent petition seeking to ultimately prevent the sale and redevelopment of City-owned land was invalid.

The appeal was filed by one lone Westwood resident.

The City's motion to dismiss the appeal is based on numerous grounds, including:

- The Johnson County District Court ruled that the petition did not meet the necessary requirements because it failed to comply with state law in numerous respects.
- Both City legal counsel and Johnson County legal counsel also previously ruled the petition invalid.
- The Kansas Attorney General and the Johnson County District Attorney's office—who were named as parties to the declaratory judgment action—did not disagree with the City's positions.
- The City views the appeal as meritless and intended only to cause delay in order to taint the impending sale.

The petition was originally filed with regard to the City's agreement with Karbank to build a mixed-use development, which would include a 3.8-acre park, on land at 50th and Rainbow. In October 2023, the City Council voted by a supermajority to approve the plan for the development, which includes 4.2 acres of retail and office space as well as quadrupling the size of green space in the area. The vote followed seven months of public engagement on the development.

"The City – and the majority of our residents – are eager to move forward with the plan to build a development that will enhance our quality of life by offering exciting retail and office options, generating revenue, paying down City debt, and establishing a nearly 4-acre new park," said Westwood Mayor David Waters. "We view this appeal as meritless." He added, "I look forward to the continued work of our Park Planning Steering Committee in making this community vision a reality."

Additional information can be found on the City's website.

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